

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

**List of Claims:**

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**JUN 17 2008**

**Claim 1 (Currently Amended):** A communication method for use by a first gateway to communicate with a second gateway over a packet network, said first gateway having a plurality of modes of operation including a data mode and a voice mode, wherein said first gateway is configured differently for each of said modes of operation, said method comprising:

configuring said first gateway to said data mode of operation for a call;  
receiving a call request from said second gateway;  
placing said call to a user over a communication line in response to said receiving said call request;

enabling a voice activity detector (VAD) of said first gateway to detect at least one of human voice [[and/or]] and silence on said communication line for a predetermined period of time;

maintaining said first gateway configured according to said configuring in said data mode of operation for said call if said first gateway does not detect the at least one of human voice [[or]] and silence on said communication line for said predetermined period of time; and

reconfiguring said first gateway to said voice mode for said call if said first gateway detects the at least one of human voice [[or]] and silence on said communication line for said predetermined period of time.

**Claim 2 (Previously Presented):** The method of claim 1 further comprising: informing said second gateway over said packet network of said data mode of operation of said first

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

gateway after said maintaining and said voice mode of operation of said first gateway after said reconfiguring.

**Claim 3 (Currently Amended):** The method of claim 1, wherein said maintaining occurs if said ~~first-gateway~~ VAD does not detect the at least one of human voice ~~[[or]]~~ and silence on said communication line for ~~[[a]]~~ said predetermined period of time.

**Claim 4 (Original):** The method of claim 1, wherein said data mode is a modem mode and said user is a modem device.

**Claim 5 (Original):** The method of claim 1, wherein said data mode is a modem mode and said user is a fax device.

**Claim 6 (Previously Presented):** The method of claim 1, wherein said data mode is a modem mode and said user is a text telephone modem.

**Claim 7 (Original):** The method of claim 1, wherein in said data mode said first gateway uses a voice coder with higher bandwidth than in said voice mode.

**Claim 8 (Original):** The method of claim 7, wherein in said data mode said first gateway uses a G.711 voice coder and in said voice mode said first gateway uses a G.723.1 voice coder.

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

**Claim 9 (Original):** The method of claim 1, wherein said first gateway has a jitter buffer, and wherein said jitter buffer is larger in said voice mode than in said data mode.

**Claim 10 (Original):** The method of claim 1, wherein said first gateway has a jitter buffer, and wherein said jitter buffer is frozen in said data mode and is dynamic in said voice mode.

**Claim 11 (Currently Amended):** The method of claim 1 further comprising: informing said second gateway over said packet network of said mode of operation of said first gateway if said ~~first gateway~~ VAD detects the at least one of human voice [[or]] and silence on said communication for said predetermined period of time.

**Claim 12 (Currently Amended):** A first gateway for communication with a second gateway over a packet network, said first gateway having a plurality of modes of operation including a data mode and a voice mode, wherein said first gateway is configured differently for each of said modes of operation, said first gateway comprising:

a configuration module configuring said first gateway to said data mode of operation for a call;

a voice ~~and/or silence~~ activity detector (VAD) enabled to detect at least one of human voice [[or]] and silence on a communication line for a predetermined period of time when said first gateway places said call to a user on said communication line in response to receiving a call request by said first gateway from said second gateway;

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

wherein said configuration module maintains said first gateway configured according to said data mode of operation for said call if said ~~voice and/or silence detector~~ VAD does not detect the at least one of human voice [[or]] and silence on said communication line for said predetermined period of time, and said configuration module reconfigures said first gateway to said voice mode for said call if said ~~voice and/or silence detector~~ VAD detects the at least one of human voice [[or]] and silence on said communication line for said predetermined period of time.

**Claim 13 (Previously Presented):** The first gateway of claim 12, wherein said first gateway informs said second gateway over said packet network of said data mode of operation of said first gateway after said configuration module maintains said data mode configuration and said voice mode of operation of said first gateway after said configuration module reconfigures to said voice mode.

**Claim 14 (Currently Amended):** The first gateway of claim 12, wherein said configuration module maintains said data mode configuration if said ~~voice and/or silence detector~~ VAD does not detect the at least one of human voice [[or]] and silence on said communication line for [[a]] said predetermined period of time.

**Claim 15 (Original):** The first gateway of claim 12, wherein said data mode is a modem mode and said user is a modem device.

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

**Claim 16 (Original):** The first gateway of claim 12, wherein said data mode is a modem mode and said user is a fax device.

**Claim 17 (Previously Presented):** The first gateway of claim 12, wherein said data mode is a modem mode and said user is a text telephone modem.

**Claim 18 (Original):** The first gateway of claim 12, wherein in said data mode said first gateway uses a voice coder with higher bandwidth than in said voice mode.

**Claim 19 (Original):** The first gateway of claim 18, wherein in said data mode said first gateway uses a G.711 voice coder and in said voice mode said first gateway uses a G.723.1 voice coder.

**Claim 20 (Original):** The first gateway of claim 12, wherein said first gateway has a jitter buffer, and wherein said jitter buffer is larger in said voice mode than in said data mode.

**Claim 21 (Original):** The first gateway of claim 12, wherein said first gateway has a jitter buffer, and wherein said jitter buffer is frozen in said data mode and is dynamic in said voice mode.

**Claim 22 (Currently Amended):** The first gateway of claim 12, wherein first gateway informs said second gateway over said packet network of said mode of operation of said first

Attorney Docket No.: 0160109  
Application Serial No.: 10/726,200

gateway if said ~~first gateway~~ VAD detects the at least one of human voice [[or]] and silence on  
said communication for said predetermined period of time.